

hopes for a favorable review of the comments enclosed, and allowance of all of the pending claims 2-11.

REMARKS ON EXAMINER'S INTERVIEW OF MARCH 5, 2007

During the Examiner's Interview of March 5, 2007, the Examiner raised for the first time the disclosed specification not supporting the limitations of Claim 2. Applicant notes that the specification reasonably conveys various devices and methods that can be combined to provide the limitations disclosed by Claim 2. For example, each of the flow diagrams of FIGURES 3, 4, 5, 6, 7, 8, 9, 10 and 11 in the specification discloses methods to:

"...be associated, in whole or in part, with a software routine operable to be employed by the device illustrated in FIGURE 1, the network and/or devices illustrated in FIGURE 2, or other systems, networks or devices operable to use the method illustrated in FIGURES 3". (As recited on page 31 of the original disclosure)

Additional support can be found on pages 37, 40, 43, 46, 50, 52 and 55 for employing each method, in whole or in part, by the claimed device. As such, Applicant has reasonably conveyed the device of claim 2, and limitations thereof.

REMARKS TO THE FINAL OFFICE ACTION

The final office action rejects Claims 2 - 4, 6, 7, and 9 under 35 U.S.C. 102(e) as being anticipated by Parulski et al (US Patent #6,573,927). Claims 2 - 4, 6, 7, and 9 are distinguishable over Parulski, and the prior art of record. Parulski fails to disclose each and

every element of independent Claim 2. Claim 2 recites, among other elements, a portable electronic device operable to record digital images that includes, in addition to other limitations, “a processor coupled to a [the] memory and operable to determine a destination and an associated process characteristic”. The device of claim 2 further includes “the processor operable to process the digital image using the process characteristic associated with the destination” (Emphasis Added)

Parulski discloses processing the digital images *at a destination* such as a service provider or walk-up Kiosk. (See Figure 1). Parulski fails to determine a process characteristic associated with a destination and to process the digital image based on the process characteristic of the destination. The electronic device as claimed in Claim 2 advantageously reduces the amount of processing required at a destination and provides for efficient communication of digital images to a destination. Parulski fails to teach or suggest “a processor coupled to the memory and operable to determine a destination and an associated process characteristic” and “[the] a processor operable to process the digital image using the process characteristic associated with the destination” as recited in Claim 2. As such, Parulski cannot anticipate Claim 2 of the disclosure. In view of the above, Applicant requests favorable allowance of independent Claim 2. Additionally, Claims 3-11, which depend from Claim 2, provide additional limitations. As such, Applicant requests favorable allowance of dependent Claims 3-11.

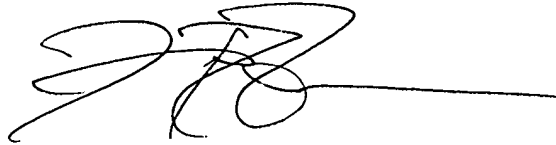
### CONCLUSION

Applicant has made an earnest effort to place this case in condition for allowance in light of the remarks set forth above, and requests favorable allowance of Claims 2-11.

PATENT APPLICATION

4

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'K. Imes', with a long horizontal line extending to the right.

Kevin R. Imes

Reg. No. 44,795

7309 Tanaqua Lane

Austin, Texas 78746

(512)-773-2900

Date: March 16, 2007

(866)-303-5927 (fax)